

Remarks

Applicants thank the Examiner for the interview on April 17, 2006. The contents of the interview are incorporated into the remarks below.

Claims 35 and 83 are amended to further clarify the structure of the cleaning strip assembly. Support for the amendments to claims 35 and 83 can be found, for example, at paragraphs 0011 to 0019 and 0041 to 0046 of the specification as filed.

Claim 51 is amended to include movement stop means. Support for the amendment to claim 51 can be found, for example, in paragraph 0044 of the specification as filed.

Claim 75 is amended to include to further clarify the nature of the claimed invention. Support for the amendment to claim 75 can be found, for example, in paragraph 0044 of the specification as filed.

New claim 94 is added. Support for new claim 94 can be found, for example, in paragraph 0044 of the specification as filed.

Claims 36, 38, 39, 79, 82, 85, and 86 are amended for consistency with the amendments indicated above.

Claims 37, 76, 78, 84, 87, and 88 are canceled for consistency with the amendments indicated above.

The above amendments introduce no new matter.

Objections to the Specification

In the Office Action, paragraph 0044 is objected to based on two appearances of the term "in use." In paragraph 0044, the "front wall in use" and the "rear wall in use" of the surface cleaning apparatus are referred to. These terms are used to indicate that the terms "front" and

“rear” should be defined according to what a user would perceive as the front and rear of the claimed surface cleaning apparatus while “in use.”

Rejections under 35 U.S.C. §103

Independent claims 35 and 83

The rejection of claims 35 and 83 under 35 U.S.C. §103(a) as being unpatentable over Japanese patent document 59-166126 (The ‘126 reference) is respectfully traversed. Claims 35 and 83 require a cleaning strip assembly comprising an elongate support member, a flexible strip extending along substantially the entire length of the elongate support member, and a plurality of tabs for engaging a surface being cleaned, the engagement of the plurality of tabs with the surface being capable of causing the cleaning strip assembly to pivot between a cleaning position and an elevated position. The ‘126 reference does not describe or suggest a cleaning strip assembly including all of these required elements.

The ‘126 reference describes a carpet sweeper. The Office Action identifies structure 12 of the ‘126 reference as corresponding to a cleaning strip assembly. In the translation of the ‘126 reference provided by Applicants, structure 12 is described as “A desired number of contact members 12 are attached to an intermediate region of the outer peripheral surface 11a of the swingable brush member 11 at appropriate intervals in the lateral direction in such a manner as to protrude outward therefrom.” (Page 5, lines 8 – 11 of the translation of the ‘126 reference.) The only other structure that appears to protrude from brush member 11 is structure 14, which is described as a brush.

The claimed invention requires a cleaning strip assembly having both a flexible strip extending along substantially the entire length of the elongate support member, and a plurality of

flexible tabs. As shown in the translation, the '126 reference does not describe or suggest such a cleaning strip assembly. Instead, based on the translation, the '126 reference describes a brush assembly 11 having a brush 14 and contact members 12. Note that structure 12 can, at most, correspond to only one of these required elements of the claimed invention. As a result, the '126 reference fails to describe or suggest every element of claims 35 and 83 as amended. Additionally, claims 35 and 83 as amended are not described or suggested by U.S. Patents 3,460,188 or 4,369,539, the other references noted in the Office Action. For at least these reasons, withdrawal of the rejection for claims 35 and 83, as well as corresponding dependent claims 36, 38 – 50, 85, 86, and 89 – 93, is respectfully requested.

Independent claim 51

The rejection of claim 51 under 35 U.S.C. §103(a) as being unpatentable over Japanese patent document 59-166126 (The '126 reference) is also respectfully traversed. Claim 51 as amended requires a movement stop means adapted to allow the cleaning strip to adopt a first orientation, a second orientation, and orientations between the first orientation and second orientation, and to prevent the cleaning strip from adopting orientations beyond the first orientation or second orientation. Claim 51 also requires that in the first orientation a substantially continuous edge of the cleaning strip contacts the surface to be cleaned, while in the second orientation the cleaning strip is raised clear of the surface to be cleaned. The '126 reference fails to describe or suggest this combination of elements.

The Office Action identifies structure 12 in the '126 reference as corresponding to a cleaning strip. However, in the '126 reference, the rotation of brush assembly 11 appears to be only constrained by the collision of structure 12 with edges 10a or 10b. When structure 12 collides with edge 10a or 10b, structure 12 is not in contact with a surface to be cleaned. More

generally, when structure 12 collides with edge 10a or 10b, the '126 reference does not teach that a cleaning strip is in contact with a surface to be cleaned. Thus, the '126 reference does not describe or suggest having a movement stop means adapted to allow the cleaning strip to adopt a first orientation, a second orientation, and orientations between the first orientation and second orientation, and to prevent the cleaning strip from adopting orientations beyond the first orientation or second orientation, where in the first orientation a substantially continuous edge of the cleaning strip contacts the surface to be cleaned. Reconsideration and withdrawal of the rejection of claim 51, as well as corresponding dependent claims 52 and 56 – 74, is respectfully requested.

Independent Claim 75

The rejection of claim 75 under 35 U.S.C. §103(a) as being unpatentable over Japanese patent document 59-166126 (The '126 reference) is also respectfully traversed. Claim 75 as amended requires a substantially continuous surface cleaning strip extending across an underside of the housing, the surface cleaning strip being mounted on the elongate support member, the elongate support member being rotatable between a cleaning orientation where the surface cleaning strip contacts a surface to be cleaned, and a second orientation where the surface cleaning strip is raised clear of the surface to be cleaned. Claim 75 as amended also requires at least one surface engagement structure mounted on the elongate support member in an orientation relative to the surface cleaning strip such that in the cleaning orientation the surface engagement structure contacts a first cavity wall, and in the second orientation the surface engagement structure contacts the surface to be cleaned. The '126 reference does not describe or suggest these required elements.

The Office Action identifies structure 12 in the '126 reference as corresponding to a cleaning strip. Structure 12 is attached to brush assembly 11. The only other structure attached to brush assembly 11 is brush 14. As shown in the '126 reference, only structure 12 comes into contact with the walls of a cavity. Brush 14 does not contact a cavity wall as it moves; instead, brush 14 is free to move within the cavity to scrape across brush 17. As a result, the '126 reference does not describe or suggest having both a surface cleaning strip and a surface engagement structure that also satisfy the cleaning and second orientation requirements of claim 75. Reconsideration and withdrawal of the rejection to claim 75, and corresponding dependent claims 79 – 82, is respectfully requested.

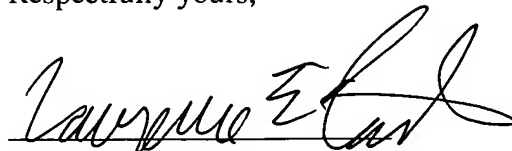
Conclusions

Based on the above amendments, it is believed that all currently pending claims are allowable. Accordingly, applicants request early and favorable reconsideration in the form of a Notice of Allowance.

The Commissioner is hereby authorized to charge any fee which may be due, or credit any overpayment, to Deposit Account No. 19-2112.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

Respectfully yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Carter", written over a horizontal line.

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Date: May 17, 2006

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